



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/380,447	09/01/1999	Sachdev S. Sidhu	P1581R2	2633

9157 7590 06/20/2003  
GENENTECH, INC.  
1 DNA WAY  
SOUTH SAN FRANCISCO, CA 94080

EXAMINER
----------

TRAN, MY CHAU T

ART UNIT	PAPER NUMBER
----------	--------------

1639

DATE MAILED: 06/20/2003

21

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT
----------

PAPER
-------

21

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Application No.: 09/380,447.

Art Unit: 1639.

1. Applicant's election with traverse of Group I (Claims 1-4, 7-9, and 11-12) in Paper No. 19 is acknowledged and the traversal would be address in the first Office Action on the Merit.

2. Applicant's election of species for Group I in Paper No. 19 is as follows:

Applicants elect major coat protein gp VIII of a phage, a variant of a wild type major coat protein with a substitution at amino acid position 17 of a serine with an isoleucine, and an antibody or fragment thereof as the heterologous protein. However, applicant's species election is incomplete to the requirement in the previous Office Action mailed 3/07/03 in that applicant did not elect a single species of virus. Applicant's election of specific amino acid at position 17 does not read on the amino acid residue at positions 1-16 and 18-30. As stated in the previous Office Action, applicant is require to elect a single amino acid at each positions. Further, applicant election of an antibody or fragment thereof is not a single species election for the species of the heterologous protein.


3. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Chau T. Tran whose telephone number is 703-305-6999. The examiner is on Increased Flex Schedule and can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang can be reached on 703-306-3217. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9307 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1123.

mct

June 19, 2003

  
**PADMASHRI PONNALURI**  
**PRIMARY EXAMINER**